

12/5/83

On 28 September, orders were requested for Fisher to accompany Mike Levin, Q43 and [] (GC) to visit Marshall Library to make "final review" of materials in Friedman Collection which we would like to (1) have withheld as classified, (2) have withheld under PL 86-36, or (3) place in "open" category. However, got a call from [] who was making arrangements with Fred Hadsell, Director of the Marshall Foundation, to effect that proposed dates (12-14 October) were unsatisfactory to Dr. Hadsell. He (Dr. Hadsell) had business in D.C. on Tuesday, 11 October, and requested that we meet with him for lunch at the Cosmos Club to discuss ramifications of our proposed visit.

Meeting at Cosmos Club was attended by Mike Levin, Charlie Ware and Russ Fisher from NSA, Alan Thompson from NARS and Dr. Hadsell. After lunch, the group met privately to discuss the trip. Dr Hadsell, backed by Alan Thompson, noted that it would be impossible for the Marshall Foundation to accept P.L. 86-36 as a criterion for withholding information in the library from public inspection. This was due, substantially, to the Virginia Charter under which Library was founded. Agreement was reached that team from NSA (ostensibly Mike, Russ and someone from GC) would visit in near future to establish two rather than three categories, viz., (1), that information which is classified and could, therefore, be legally withheld from further disclosure to public; and (2) that information which was not classified or sensitive, and which could then be made available to researchers and the public.

Sometime during the week of 21 November (not sure of exact date) I encountered [] and a young lady (both from GC) looking in Betty Wanat's compartmented files for some basis for validity of application of P.L. 86-36 even though material is unclassified and is in private hands. Fritz told me that Mike had asked GC to see if there was, indeed, some legal reason why we could invoke 86-36 on Friedman collection without fear of Marshall Library/Foundation being in a position which it could not, under Virginia law, accede to our requests for such protection.

RGF